

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

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MDL No. 2804

Case No. 1:17-md-2804

**JUDGE DAN AARON
POLSTER**

**PUBLIC SCHOOL DISTRICTS MOTION TO EXTEND TIME TO COMPLY WITH
CERTAIN OBLIGATIONS IN THE JULY 23 CMO [ECF 3795]**

The School District Plaintiffs, by and through counsel and pursuant to Federal Rule of Civil Procedure 16, and with the support of the Plaintiffs Executive Committee hereby file this Motion to Extend Time to Comply with Certain Obligations in the July 23 CMO [ECF 3795] (“Motion”), respectfully move this Court for a modest adjustment to the Court’s schedule. In support of this Motion, the School District Plaintiffs state the following:

1. On July 23, 2021, the Court issued a Case Management Order [ECF 3795] (“July 23 CMO”) with respect to Subdivisions. On December 13, 2021, the Court clarified in its Order [ECF 4192] that the July 23 CMO applied to School District Plaintiffs.

2. On February 25, 2022, the Court clarified in ECF 4287 that the obligations in Paragraph II of the July 23 CMO are due on May 26, 2022, and obligations in Paragraph III are due on June 26, 2022.

3. On March 23, 2022, the Court held a status conference where the Court encouraged resolution of the School District claims and required the Parties to report back by with a status update by May 18, 2022.

4. In order to foster the prospect of a settlement track for School District claims and to provide the information required in the most organized and complete manner as well as to allow for effective coordination with School Districts from around the country, School Districts seek a modest change in the schedule that extends the end dates of the schedule by thirty (30) days with respect to Paragraphs II and III only. This request is narrower in scope and shorter in duration than the modification of schedule obtained by certain non-settling Subdivisions. ECF 4358.

5. Specifically, School District Plaintiffs seek to modify the schedule so Paragraph II (expert summaries and damages) would be due on June 27, 2022, and Paragraph III (affidavits) would be due on July 26, 2022. This moves the completion of the July 23 CMO obligations from June 26 to July 26.

6. This motion is made in good faith and for purposes of advancing the School District claims in an orderly fashion. Granting this Motion is in the interest of justice and will advance the School Districts claims in an efficient and comprehensive manner. School Districts seek only a 30 day modification of the schedule for a subset of the obligations under the July 23 CMO.

7. The undersigned has conferred with counsel for Settling Defendants regarding the instant motion. Without providing an explanation, Settling Defendants informed School Districts of their opposition to this motion.

MEMORANDUM OF LAW

The Court may, at any time in its discretion, extend a deadline if the movant moves prior to the deadline and the movant shows good cause for the extension. *See* Fed. R. Civ. P. 6(b).

School District Plaintiffs have filed this Motion in advance of the pertinent deadlines established by the Court's July 23 CMO [ECF 3795] and February 25, 2022 clarification [ECF 4287]. As set forth above, good cause exists for the relief requested herein and this Motion has not been filed for any improper purpose. No Party will be prejudiced if the Court grants the relief requested herein.

WHEREFORE, good cause having been shown, School District Plaintiffs respectfully request that this Court extend the deadline for School District Plaintiffs to comply with the obligations set forth in Paragraphs II and III of the July 23 CMO to June 27 and July 26 respectively.

Dated: April , 20, 2022

Respectfully submitted,

/s/ Cyrus Mehri

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**JUDGE DAN AARON
POLSTER**

**[PROPOSED] ORDER TO MODIFY THE SCHEDULE FOR CERTAIN OBLIGATIONS
IN THE JULY 23 CMO [ECF 3795] WITH RESPECT TO SCHOOL DISTRICTS**

On this day, the Court considered School District Plaintiffs' Motion to Extend Time to Comply with Certain Obligations in the July 23 CMO [ECF 3795] and in order to foster the possible of a settlement track for School Districts and to advance the orderly prosecution of School District claims,

IT IS ORDERED that the Plaintiffs' Motion is granted in its entirety; and it is further **ORDERED**, that the deadlines for following obligations in the July 23 CMO [ECF 3795] with respect to School Districts Plaintiffs shall be extended, with the new dates as follows:

1. The obligation set forth in Paragraphs II and III shall be extended to June 27 and July 26, 2022, respectively with respect to School Districts.

IT IS SO ORDERED this _____ day of _____, 2022.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2022, the above and foregoing pleading was electronically filed with the Clerk of Court of the United States District Court for the Northern District of Ohio by using the CM/ECF System. Notice of this filing will be sent to all counsel of record registered to receive electronic service by operation of the court's electronic filing system.

/s/ Cyrus Mehri

Cyrus Mehri